



Patent
Attorney Docket: 302,670-010
(265/082)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MARK WANG et al.

Serial No.: 09/993,318

Filed: November 14, 2001

For: Apparatus Including Constrained
Pathways for Particle Sorting

Group Art Unit: 1651

Examiner: Jon P. Weber

RECEIVED

MAY 30 2003

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO/SB/08A provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form PTO/SB/08A, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/23/03
Date of Deposit
IRI:1043148.1

Denise Doss

Name of Person Mailing Paper

Signature of Person Mailing Paper

In accordance with §1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits of the above-identified application, and therefore no fee is required. If a first Office Action has been mailed, then please enter this Information Disclosure Statement and charge Deposit Account No. 50-0639 for any necessary fees.

In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO/SB/08A are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in prior Application Serial No. 09/845,245 for which a claim for priority under 35 U.S.C. §120 has been made in the instant application. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: May 23, 2003

By: David B. Murphy

David B. Murphy
Reg. No. 31,125
Attorneys for Applicant

DBM

34263
34263

PATENT TRADEMARK OFFICE

O'Melveny & Myers LLP
114 Pacifica, Suite 100
Irvine, CA 92618-3315
(949) 737-2900



Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	09/993,318
Filing Date	November 14, 2001
First Named Inventor	Mark M. Wang et al.
Group Art Unit	1651
Examiner Name	Jon P. Weber
Attorney Docket Number	0302670-00010 (formerly 265/082)

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Figures Appear
	Number	Kind Code ² (if known)			
	US-4253846		Smythe et al	03/03/81	
	US-4386274		Altshuler	05/31/83	
	US-4756427		Göhde	07/12/88	
	US-4886360		Finlan	12/12/89	
	US-5773298		Lynggaard et al	06/30/98	
	US-5942443		Parce et al	08/24/99	
	US-6149789		Benecke et al	11/21/00	
	US-6221654	B1	Quake et al	04/24/01	
	US-6224732	B1	Imasaka et al	05/01/01	
	US-6242209	B1	Ransom et al	06/05/01	
	US-6280967	B1	Ransom et al	08/28/01	
	US-6287758	B1	Okun et al	09/11/01	
	US-6344325	B1	Quake et al	02/05/02	
	US-6399397	B1	Zarling et al	06/04/02	
	US-6514722	B2	Palsson et al	02/04/03	
	US- 2002/0058332	A1	Quake et al	05/16/02	
	US- 2003/0032204	A1	Walt et al	02/13/03	
	US- 2003/0047676	A1	Grier et al	03/13/03	

RECEIVED

MAY 30 2003

TECH CENTER 1600/2900

Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₅
	Office ³	Number ⁴	Kind Code ⁵ (if known)				
	WO	01/11333	A2	Ransom et al	02/15/01		
	WO	01/40454	A1	Koller et al	06/07/01		
	WO	01/68110	A1	Koller et al	09/20/01		
	WO	02/22774	A1	Eisfeld et al	03/21/02		
	EP	0635994	B1	Imasaka et al	09/23/98		
	EP	0556748	B1	Nishimura et al	10/28/98		
	JP	4-43434	A	Yasuda et al	02/14/97		Abst

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	ASHKIN et al, "Force Generation Of Organelle Transport Measured In Vivo By An Infrared Laser Trap", Nature, 348, 11/22/90, 346-348.	
	CALDWELL, "Field-Flow Fractionation", Analytical Chemistry, 60, 17, 9/1/88, 959-971.	
	DAVIES et al, "Optically Controlled Collisions Of Biological Objects", SPIE, 3260, 1/25-28/98, 15-22.	

Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	09/993,318
Filing Date	November 14, 2001
First Named Inventor	Mark M. Wang et al.
Group Art Unit	1651
Examiner Name	Jon P. Weber
Attorney Docket Number	0302670-00010 (formerly 265/082)

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	ESENER, "Center For Chips With Heterogeneously Integrated Photonics (CHIPS), DARPA Opto Centers Kickoff, 11/08/00, Dana Point, CA.	
	FLYNN et al, "Parallel Transport Of Biological Cells Using Individually Addressable VCSEL Arrays As Optical Tweezers", Sensors & Actuators B, 87, 2002, 239-243.	
	IMASAKA et al, "Optical Chromatography", Analytical Chemistry, 67, 11, 06/01/95, 1763-1765.	
	SASAKI et al, "Optical Trapping Of A Metal Particle & A Water Droplet By A Scanning Laser Beam", Appl. Phys. Lett., 60, 7, 2/17/92, 807-809.	
	SHIKANO et al, "Separation Of A Single Cell By Red-Laser Manipulation", Applied Physics Letters, 75, 17, 10/25/99, 2671-2673.	
	SONEK et al, "Micromanipulation & Physical Monitoring Of Cells Using Two-Photon Excited Fluorescence In CW Laser Tweezers", SPIE, 2678, 01/28-02/01/96, 62-68.	
	WANG et al, "All Optical Switching Of Biological Samples In A Microfluidic Device", International Photonics Conference 2000, 12/12-15/00, Hsinchu, Taiwan.	
	WANG et al, "Integration Of Optoelectronic Array Devices For Cell Transport & Sorting", Photonics West 2001, 01/20-26/01, San Jose, CA.	
	WEI et al, "Laser Trapping Microscopy As A Diagnostic Technique For The Study Of Cellular Response & Laser-Cell Interactions, SPIE, 2983, 02/10-11/97, 22-28.	
	ZAHN et al, "Fluorimetric Multiparameter Cell Assay At The Single Cell Level Fabricated By Optical Tweezers", FEBS Letters, 443, 1999, 337-340.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

MAY 30 2003

TECH CENTER 1600/2900